

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

YOLANDA G. MORENO-MIELCAREK,)
INDIVIDUALLY AND AS REPRESENTATIVE)
OF THE ESTATE OF FELIKS MIELCAREK,)
Plaintiff,)
v.) SA-06-CA-932XR
UNITED STATES OF AMERICA,)
Defendant.)

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by April 2, 2007.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by August 1, 2007, and each opposing party shall respond, in writing, by August 15, 2007.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by July 2, 2007.
4. All parties asserting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials required by FED. R. CIV. P. 26(a)(2)(B) by June 1, 2007. Parties resisting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials

required by FED. R. CIV. P. 26(a)(2)(B) by July 15, 2007. All designations of rebuttal experts shall be filed within 30 days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 30 days of receipt of the written report of the expert's proposed testimony, or within 30 days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before October 1, 2007. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than October 15, 2007. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to 30 pages in length.

8. This case is set for trial on _____ at _____.m.
The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of trial.

SIGNED AND ENTERED this _____ day of _____, _____

**XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE**